App. F. IX-4

1928. (Mysore)

File No. 48-28

Serial Nos. 1-6

Previous References

Mis 3222-27-9 10
1-1
5-8

Later References

Law 98-28, 1-4.
Mys 243-29-1-11
Mys Dep-ons 177 of 30-3
Mys 81-32-1-4.

General and Revenue Secretariat.

Mys 235-35-1-5
Mem 202-36 (1-2)

6-121, 122, 142 145, 148, 149 151 151)

Serial Nos. 6

Part B for October 1928

SUBJECT

Petition from Swami Dayasagara Bhishmachar of Malleswaram craving permission to proceed criminally against Mr Venkatakrishnaappa, Assistant Commissioner on his own responsibility re the recovery of Huttha from 26 ryots

---

Ms 793 dated 15.10.28 — To the Mys. Govt.

State that it was a mistake to have taken possession of the lands & the officer should be held personally liable and the amount recovered from him and paid to Dayasagara

R.120
5.7.28

OFFICE OF THE DEWAN OF MYSORE.

ORDERS

11 JUL 1928

D 53

Mscr 48-28-1

Pln No. 3698.

OFFICE NOTE.

Submitted.

This is a petition from Sri Diyasigara Phishmachar of Malleswaram, Bangalore, addressed to the Dewan praying permission to proceed primarily against Mr. Venkatakrishnappa, Assistant Commissioner. It would appear that when Mr. Venkatakrishnappa was Amildar of Yedatore Taluk, he enticed away a family woman for his illicit purposes and in order to help her he misappropriated the produce of certain lands entrusted to him as Amildar and getting the woman as a claimant to the said lands disposed them of in her favour, misrepresenting the circumstances of the case to the Higher Authorities, etc. His prayer is that either Government may take proper steps to investigate the complaint made against Mr. Venkatakrishnappa or permit him to proceed against him on his own responsibility.

For orders.

28/6.

Chief Sec't for
With Compliments
for disposal

29.6.28

1683

Rev Mysore
Please put up the
papers
2/7

A petition received in December 1927 and the Mysore Court's report thereon were transferred to the Mysore Br. on 26-1-28, vide D no 3812-27.

The Mysore Br. may be requested to put-up the file.

YS 9/7

Mysore 7-7-28.

GEOL. SURV. 1924

D 1240

Annex 48-25-1

To

The Learned Chief Secretary
to the Govt of Bombay
Bombay.

Sir,

I have much regret to have to approach you to move Govt for sanction to the employment of additional staff for the Survey and partly according to the following

[illegible]

[illegible]

[illegible]

General and Revenue Secretariat. Genl 2 File No. 48 of 192 8.-29

Serial No. 4

Petition of Dec 27 from Mr V A Ayyar thereon & stated to have been brought over to this Branch before the question of restoration to the fr. of the suits which we offered to withdraw & the question of weighing the Bench's evidence was not considered - may file it as Exhibit to the above Resolution fixing for the suits in the Courts of Zamindar, Shivaganga & Ramnad (in lieu of the fresh) proposing for the restoration of the Courts to them - This has been sent to the Deputy Secy P.W.

This since received is also putting up.

Mr Ayyar 17/7

Submitted with reference to para 2 above

6. Ch Sec 26/7

7. This petition may also be sent to D.C. through Mr Comm for report on the allegation that Mr Annadan Mr Venkatavirabhadra Ayyar pocketed the sale proceeds of 2 years' crops

Mr Comm 27/7

Mr Br 28/7 28/7

Mean put up all the Mysore files when received 17/7

Genl 222 27 - Sl nos 1-4 5-8 are put up - 29/7

The latest file in typing containing Mr Commr's petition of Mr Pang Thevar may be put up 17/7

Genl 222 27 - Sls 9 & 10 are put up - Sls 1 to 8 below - 17/7

Mr Comm

R. 100 Dt 28/7/28

CHIEF SECRETARY. 26 JULY 1928

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

File No: 48 of 1928-29

Serial No.	
1.	Draft G.M. and P.S. are put up 380 31-7-28 MM 31/7/28 Draft G.M. WD 31/7
2.	To. Order Court No 309 dt 10.8.28 forwarded D No 5-3 for very early report to G.M issued and put up. 89 11/8 MM 11/8/28 M. Somasundaram WD 13/8
3	Endt No 322 dt 14.8.28 to Dayadagina Brahmachari. Informed him that the matter is receiving attention
4	Letter No Rt. 36/289 dt 15/16th Augt. 1928 from the Asst. Dir. stating that the O.S. Inspector has reported that Bhrahmachari himself is causing all the trouble, that he refuses to take possession of the land, though already the Amildar tried to, & that the assessment cannot be paid & there is likely to be breach of peace.
12	endorsement to the above effect has been sent to Dayasagara Brahmachari by the D.S. under date 9.8.28. MM 4/9/28 (A. Rice) 23 4/9

OFFICE OF THE SECOND MEMBER OF COUNCIL
11 SEP. 1928
No 2196.

No. 1691
CHIEF SECRETARY
5 SEP. 1928

NOTE—Endt. No. 1691 dt 5-9-1928

WD 01714—GPB—30,000—13-7-28

13 1st Member

14. Hon'ble Member

MM 8/9
11/9

General and Revenue Secretariat.

File No. 48 of 1928-29

Serial No.

15. The report does not seem to be very clear. If Shivaramachar offered lands to which he had no title I do not see how he can be asked to resume possession of them or how we can claim quitta on them.

C&S
18/9

NN
18/9

5 From the Mny: Comr.,
letter no. P.C. 36 of 24-29 & 18-9-28.
Submits, in continuation of his previous letter, a copy of Dy: Comr's letter no. 3468 & 8-9-28 & states that, for reasons assigned, the Amildar should be held liable for the quitta amount due to Dayasagara Bhishmachar for the years 1926-27 & 1927-28.
16. The Dy. Comr's letter & 8-9-28 clears the doubts expressed in the minutes above. The Dy: Comr. states that he has issued an order to pet^r. recognising his claim to the quitta amount due for 1924-25 & 1925-26 & also to the quitta due for the next 2 years—
17 The D.C. solicits orders for recovery

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—16-4-28

General and Revenue Secretariat.

Mug File No. 48 of 1928-29

Serial No.

Of the amount from the Amildar Mr. Venkatakrishnappa on the strength of the opinion expressed by the Legal Remembrancer on 20-1-28 and the M.C. in supporting the proposal solicits orders of Govt.-

18. The Legal Remembrancer has expressed his opinion that the Amildar has gone out of his way in giving possession of the lands to Komalāvalliammal on her representation & that the parties should have been left to have their disputes settled in a Civil Court.

19. Subd for orders as to whether the proposal of the D.C & M.C. may be approved.

sd
26-9-28

20 [illegible]

27/9

mr 28/9/28 21

It was a mistake to have taken possession of the land and leased it out before the donor's title to it was ascertained and his gift accepted. The lease amt for two years - 1924-25 & 1925-26 - is stated to have been not received yet. It has to be realised and paid to Petitioner as stated by the D.C. The gulla for the next two years is also claimed that for 1926-27 is reported to have been made over to Komalavalli-ammal. This was as authorised and the Amildar should be required to pay this amt. Whether the gulla for 1927-28 has been received or not is not stated. If received and kept by Petitioner's daughter-in-law the officer who made the payment-

(22 Oct 28)

OFFICE OF THE SECOND MEMBER OF COUNCIL
1 OCT. 1928
2747

OFFICE OF THE FIRST MEMBER OF COUNCIL
27 SEP. 1928
No. 2032

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

Mus. File No. 48 of 1928.

Serial No.

should be held personally liable and the amt recovered from him and paid to Petrs.

Mule
30.9.28

2v The case may be Subd to Secy Member with ref to his Minute of 15.9.28 — hy

SoRs 15
1/10

3v I have nothing more to say.

CSJ
3/10

Mus
5/10

24 xfr
15
5/10

25
Draft is put up
SD
6/10
MM Hoppy

OCT. 1928
No. 2305

7a xfr

Fldrs 15
8/10

26 Mule

8/10/28

27 Secy
15
9/10

NOTE—Contn. Sheet.

WD 0171a—GPB—30,000—18-4 28

General and Revenue Secretariat. Mer File No. 48 of 1928-29

Serial No	
6	To. Mer Coen^r No 7938/15.10.28 states that it is a mistake to have taken possession of the land leased out the same that the arrears of Salt for the years 24-25 to 27-28 shd be recovered & paid to Bishnachar by the officers concerned here leased out the land
13/	

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

DRAFT.

SUBJECT.....

.....

.....

Complaint

Section. Genl

File No 2

Serial No.

No. 309 Genl

Diary No. of letter replied to .....534.....
140

OFFICIAL MEMORANDUM.

MUZRAI SECRETARIAT,
(Muz)
, *the* ..... .192 .

The accompanying Petition Registered No 53.. dated ...24-6-28
192 . received
at the Muzrai Secretariat
from . Swami Dayasagara Bhishmacha
of Malleswaram, Bangalore,
~~making complaint~~ the in all
against ~~him~~

Date of issue 20/8/28

Signed by Lt. Col. M.W.W. Gx.

Mr. Venkatakrishnaiah Addl. Asst. Commr. Bgx.

~~he~~ that as Muktar of Yedatore and praying that ~~he~~ misappropriated the sale proceeds of 2 years crops of certain lands entrusted to him as Muz: Officer his conduct may be investigated

is forwarded together with its enclosures.

to the. & dated or permission given to him to prosecute him ~~for the offence mentioned~~ ~~in the~~ dated 26th ult. is forwarded (~~to~~ the Muz: Court a Muzrai Court for ~~in~~ Mysore for ~~a~~ Report. ~~thereon~~

in connection with his letter No. 83/Muz 1927-28 dt. 16.7.28

By Order,

For Secretary to Government.

8/8
31/7/28

9/8/28

24/7/28

P.T.O

M Channaiah
for Assistant Commissioner.
Muzrai Commissioner.
(Absent from Stn.)

ಅರ್ಜಿದಾರ್.....ತಾಲ್ಲೂಕು

.....ಹೋಬಳಿ

.....ಗ್ರಾಮದಲ್ಲಿರುವ

.....ಗೆ.

ಇಂಡಾರ್ಸ್ ಹುಕುಂ

ನಂಬರು.....

.....

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.....

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರ ಮಿಸಿಕ್ಕೊಂಡ.....

ಮರ್ಕುವಿನ ಅರ್ಜಿಯನ್ನು.....ಬಗ್ಗೆ

.....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

By Order,

Secretary to Government.
Muz Dept

To

Swami Dayanand
Bhishmachar of
Bangalore.

With reference to his
Rs 24.6.28 addressed to the D
and 23.7.28 to the Sh:
making certain
against Mr Venk
appa, Amildar of Yadatore
in his capacity as Muzra
officer, he is informed that
the matter is now in hand
& reports
has been called for in
the matter from the Muz
Court.

By Order

List of enclosures Nil

for Secretary.
H. Dept.

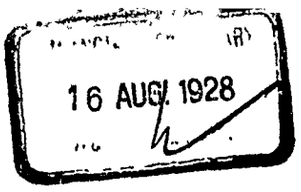
Rd.
31/7/28

9/8/28

Copied by.....

Examined by.....

WD0587—GPB—1000—11-8-28



10

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore...15th...August.....1928.

16.

No. RC 36 Sug Copies
284 File

17-8-28

D 289

FROM

P. G. D'Souza, Esq., B.A., B.L.,
The Muzrai Commissioner in Mysore.

Mur 48-28-4

To

P. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

With reference to correspondence ending with your confidential forwarding C.M.No.309, M.F.48-28-2 dated 11th August 1928/to the Deputy Commissioner Mysore District through this office, petition received from Davasagara Phishmachar and calling for an early report in respect of his complaint against the Amildar of Yedatore, Mr. Venkatakrishnappa, I have the honour to state that a report from the Deputy Commissioner Mysore dated 15th has been received stating that the petitioner is the cause of all the trouble in having offered lands for which he had no title, that though he was asked to take possession of the lands, he has refused to take them but until the patta of previous years was paid to him, and that he tried to withhold Government liable for any loss sustained by lands he was to have offered lands to which he had no title etc., Copy of the Deputy Commissioner's letter No.H2-316-27 dated 9th August 1928 together with copy of endorsement given to him by the Deputy Commissioner are herewith sent.

In this connection it has to be stated that the Swamy Davasagara Phishmachar is a kind of moromamlas under several Deputy Commissioners. The endorsement given by the Deputy Commissioner is perfectly untrue. The vernacular records are herewith enclosed for reference and will be returned.

I have the honor to be,
Sir,
Your most obedient servant,

for Assistant Commissioner

Letter No.H2.346/27 dated 9th August 1928 from the Deputy Commissioner, Mysore District to the Muzrai Commissioner in Mysore.

Land endowment - swamy Dayasagara Bhishmachar - non-acceptance.

With reference to your letter No.C.559 of 27-28 dated 25/27th - January 1928 and subsequent marginally noted references regarding the non acceptance of the gift of lands at Mirle, Yedatore Taluk, offered by Swamy Dayasagara Bhishmachar in favour of the Narighatta temple, I have the honor to state that the Sub Division Officer, Mysore, reports that although an endorsement was issued by the Amildar of Yedatore -- Taluk to Swamy Dayasagara Bhishmachar to take possession of the lands, the latter has sent a petition on 27th June 1928 to the Amildar ---- refusing to take possession of the lands until the gutta of previous years was paid to him and threatening that legal action would be taken against the officers concerned for damages caused to him.

2. As regards the arrears of gutta, the Sub Division Officer reports that the lessee has not yet paid the gutta for 1924-25 and 1925-26, that coercive action is being taken by the Amildar for its recovery, and that the amount is not in deposit in the Taluk. The petitioner should wait until the amount is collected by the Amildar and paid to him.

3. As the petitioner is himself the cause of all this trouble in having offered lands for which he has no title and as he refused to take possession of the lands although he was asked to do so by the Amildar of Yedatore Taluk, he cannot hold Government liable for any loss sustained by him.

4. As an endorsement has also been issued to him by this office to the above effect, no further action seems necessary in the matter. In this connection, I may state that in the series of petitions received -- from Swamy Dayasagara Bhishmachar, the unfounded allegations against - the Amildar are not even couched in proper language.

5. The entire file is enclosed herewith for perusal and kind return

"C o p y"

for Muzrai Commissioner.

No.H2.346/27 Office of the Deputy Commissioner,
Mysore District.
Dated Mysore, 9th August 1928.

Endorsement.

With reference to his several petitions ending with the -- petition dated 27th June 1928 addressed to the Amildar of Yedatore Taluk, to this office and to the Muzrai Commissioner in Mysore, about the restoration of certain lands in Mirle village, Yedatore, Taluk, proposed to be offered by him for charitable purposes, Swamy - Dayasagara Bhishmachar, 504, Malleswaram, Bangalore, is informed that although the Amildar of Yedatore Taluk wrote to him to take possession of the lands, he has refused to do so until the gutta of previous years was paid to him. As the gutta amount has not yet - been paid by the lessees, coercive action is being taken by the -- Amildar for its recovery, and the petitioner can get the same only when the amount is recovered.

He is further informed that he cannot hold Government liable for any loss, as he has refused to take back possession of the lands when he was asked to do so by the Amildar of Yedatore Taluk. No notice will be taken of his future representations."

(Sd.) P.H.Krishna Rao,
For Deputy Commissioner,
Mysore District.

"C o p y"

For Muzrai Commissioner.

FINANCIAL SECRETARY
18 SEP. 1928
No.....

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore.....15th.....September.....192 8.

18

No. PE 36 Enq 289

FROM

P. C. D'Souza, Esq., B.A., B.L.,
The Muzrai Commissioner in Mysore.

0433

To

P. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Judicial Department.

SIR,

In continuation of this office letter No.P.E.36 Enq 289-27-28 dated the 16th August 1928 in regard to the land of Shanbhogi Seguna Pattegar granted to the Amildar of Yelahanka, I have the honour to state that although 30 days have elapsed since the 8th instant received in the Head Office the letter from the Amildar requesting orders regarding the restoration of the land for 1928-29 the Amildar of Yelahanka has not taken out patta according possession of the lands to Mr. Malavalli Annaji Pattegar on behalf.

In view of the delay of the Amildar in the matter I am to request that orders may be issued to the Amildar of Yelahanka to take out patta according possession of the lands to Mr. Malavalli Annaji Pattegar on behalf.

I submit the matter for the orders of Government.

I have the honour to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

H2.346/27 dated 6/8th September 1928 from the -- sioner, Mysore District to the Muzrai Commissioner in

---

Subject:- Land Endowment-Swamy Dayasagara Bhishmachar-non-acceptance.

In continuation of my letter No.H2.346/27 dated 5th July 1928 on the above subject, I have the honor to forward herewith two --- petitions dated 24th and 28/31st August 1928 received from Swamy -- Dayasagara Bhishmachar stating that four years kutta from 1924-25 to 1927-28 is due to him, that it was the duty of the Amildar to return the possession of the lands to him during 1926-27 when the endowment - offered was rejected, that Mr. Venkatakrishnaya the then Amildar who gave possession of the lands to Annalavalli Amma (Swamy's daughter-in-law) without authority must be made to pay to him the lease amount for 1926-27 and 1927-28 and that in any case Government must pay to him the lease amount for 4 years (1924-25 to 1927-28), after adjusting the arrears of revenue and loan kist due on the land, / that he is ready to take back possession of the lands now, if Government declares that to pay the kutta due for 4 years and that in the absence of such an assurance as he is afraid that the lands will be sold for arrears of land revenue and loan kist due to Government, his petition may be treated as notice under Section 60 of the C.P.C.

2. As the grievance of Swamy Dayasagara Bhishmachar is real, I have issued to him an endorsement stating that the kutta for 1924-25 and 1925-26, outstanding with the lessees, when realised will be paid to him, less arrears of land revenue and loan kist, if any, due to Government, that as regards the kutta for 1926-27 and 1927-28 the matter is reported to you for orders and that he may take charge of the lands at once without fear of being sued again for arrears of 3 years if any, due to Government.

That his application may be treated

3. As the Swamy has threatened a notice under Section 60 of the C.P.C. I request favour of orders regarding the realisation of kutta for 1926-27 and 1927-28 from Mr. Venkatakrishnaya who proceeded without authority in giving possession to Annalavalli Amma. The opinion of the Legal Remembrancer in this connection is also enclosed.

"Copy"

N. Hema Raj

For Muzrai Commissioner.

nrb

P. F. VI. G1]

SUBJECT.....

.....

.....

Section mur

File No. 48-28

Serial No. 6

No. 7938 Mun. Rls

Diary No. of letter replied to.....433.....

General and Revenue Secretariat

(Mur)

the *192*

Date of issue.....15/10/28.....

Signed by.....M. Venkata Rao for.....

.....

To The Mun: Comr in Mysore, Bangalore.

Sir,

With reference to the correspondence ending with your letter no. P.C.36 of 28-29 dt 18-9-28 in re the complaint of Swamy Dayasagara Bhishmachar against the Amildar Mr. Venkatakrishnappa and soliciting orders for the recovery of the gutta due to the above person for 1926-27 and 1927-28 from Amildar Mr. Venkata Krishnappa,

over

List of enclosures.....

Copied by .....

Examined by .....

18/10

WD 0325—GPB—83,000—26-5-27

I am directed to state that
it was a mistake to have
taken possession of the land
offered as an endowment by
Swami Dayasagara Bhishmachar
and leased it out before the
donor's title to it was ascertained
and his gift accepted -
The lease amount of the
land for the two years 1924-25
and 1925-26, which is stated
to have been not recovered yet,
~~has~~ must be realized and paid to
the petr., as stated by the Dy: Court -
The making over of the gutta amount
for 1926-27 to Komalāvalli amma
was unauthorized and the Amildar
should be required to pay it -
If the gutta for 1927 28 has also
been recovered and paid to her,
the officer, who ~~has~~ made this
payment, should be held personally
liable and the amount recovered from
him and paid to Dayasagara Bhishmachar

Mur
8/10/28

2. The Ver: records are returned.

I have etc
Secretary, Fin. Dept

Copy to Rev: Board

Fd
6-10-28
MS Murthy

8/10

16 pages